

## REMARKS

### I. Status of the Application

Claims 1-5, and 7-12, and 14-36, 38-46, and 48-54 are pending. Claims 1, 12, 42, and 48 are amended. Claim 13 is cancelled without prejudice. Claim 54 is added. Claims 28-36, 38-39, and 49-52 have been allowed.

### II. Claim Objection

Claim 48 has been objected to for an informality that has been corrected. The Examiner is thanked for noting this informality.

### III. Claim Rejections

#### A. 35 USC § 102

Claims 42-46 have been rejected for allegedly being anticipated by U.S. Patent No. 5,627,470 (“Kuth”).

Claim 42, which defines a method of conducting a medical procedure, recites, in part, “flexing a light projector connected to the MRI magnet assembly to illuminate at least a selected portion of the subject.” (emphasis added) As discussed in the Amendment dated October 5, 2006, Kuth does not disclose flexing the light projector, as claimed. (According to Webster’s II, New Riverside Dictionary, Revised Edition (1996), a relevant definition of “flex” is “to bend, esp. repeatedly.”). As discussed above, the deflection optics 32 in Kuth is either fixed or movable in a guide. The Examiner has not identified any “flexing” in Kuth.

To further prosecution of the application, claim 42 has been amended to recite that the light projector is connected to the MRI magnet assembly “in a recessed portion of the assembly.” In Kuth, in contrast, the light source 18 is mounted to a flat surface of the shoe 10, which is not recessed.

Amended claim 42 and the claims dependent upon it are not, therefore, anticipated by Kuth.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

**B. Rejection under 35 USC § 103**

**1. Kuth and Fiberstars**

Claims 1-4, 6-12, 15-16, 20-23, 40-41, and 48 have been rejected under 35 USC § 103(a) as allegedly being unpatentable over Kuth in light of the Fiberstars® Reference. Claim 1, which defines an MRI system comprising, in part, an imaging volume, has been amended to recite that the magnet assembly defines “a recessed portion” and that “the light projector is coupled to the recessed portion.” As discussed above, the light projector in Kuth is not coupled to a recessed portion of the magnet assembly. Claim 12 has been amended to be consistent with amended claim 1 and to incorporate the limitations of claim 13, which has been cancelled.

Amended claim 1 and the claims dependent upon it would not, therefore, have been obvious in light of Kuth and Fiberstars®.

Withdrawal of the rejections and reconsideration of the claims are respectfully requested.

**2. Kuth and Torchia**

Claims 5, 17, 18, 19, 24, and 53 have been rejected in light of Kuth and U.S. Publication No. 2004/0249261 (“Torchia”).

Claims 5 and 17 are dependent on amended claim 1, which should be allowable, as discussed above. Claims 5 and 17 should, therefore, be allowable, as well.

Independent claim 18, which defines an open MRI system, comprises, in part, a first canopy over a first pole and a light projector connected to the first canopy, “wherein the optical fibers extend through the first canopy at a second location and out of the first canopy through the first location, into the light projector.” These limitations were not addressed by the Examiner in the rejection of claim 18 in the prior or current Office Action. It is noted that claim 18 and the claims dependent upon it were found to be allowable in the first Office Action dated August 11, 2005, no new art has been cited, and the reasons for withdrawal of the finding of allowability have not been provided.

Regardless, neither Kuth nor Torchia shows such a configuration. Even if Kuth has a canopy (which is not explicitly disclosed in Kuth), the optical fibers are always shown outside of the poles 10 and the supposed canopy. Similarly, the optical fibers in Torchia are not in any way coupled to the poles or to a canopy.

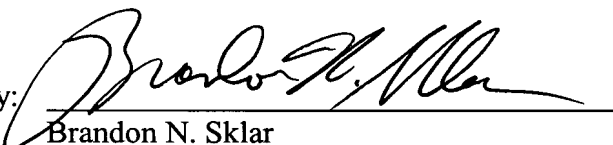
Claim 18 and the claims dependent upon should, therefore, be allowable, as was found in the first Office Action.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

#### **IV. Conclusion**

The allowance of the application in light of these Amendments and Remarks is respectfully requested.

Respectfully submitted,  
KAYE SCHOLER, LLP

By:   
Brandon N. Sklar  
Reg. No. 31,667

**MAILING ADDRESS**

Kaye Scholer LLP

425 Park Avenue

New York, New York 10022

(212) 836-8653